THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.23750 of 2006

Dated:15.11.2006

Between

1.M.Raghava Reddy and another

.....Petitioners

and

1.The Executive Engineer, I & CADD,
JCR-GLIP Division No.3, KC
Camp Officer,Chintagattu, Hasanparthy
Mandal, Warangal District and others.

…Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.23750 of 2006

ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the 1st and 2nd respondents in changing the alignment of Canal D-8 of JCR Godavari Lift Irrigation Project at 10.86 KM abutting the Warangal – Khammam Road (Bollikunta Shivar of Sangam Mandal), thereby causing damage to the houses as well as agricultural lands of the petitioners situated in Sy.Nos.475 and 476, as illegal and arbitrary.

It appears that petitioners are agriculturists having landed property under JCR Godavari Lift Irrigation Project abutting the Warangal-Khammam Road (Bollikunta Shivar of Sangam Mandal). They are owners of various of extents of lands in various

survey numbers. While so, 1st respondent had conducted survey for formation of D-8 Canal at 10.68 Kms and markings were also given in yellow colour. As per the survey, the alignment passed through Sy.No.506 and 484, which are purely agricultural lands. Succumbing to the pressures of some interested persons, the 1st and 2nd respondents have conducted another survey changing the proposed alignment. The proposed canal has to pass through the petitioners' dwelling houses.

According to the petitioners, this proposal is due to certain political rivalry in the village. Therefore, ventilating their grievances, they made representations to the 2nd respondent on 21.2.2006 and 10.08.2006 stating that they have no objection for laying proposed canal thorough their agricultural lands but if the canal goes through their houses, it will cause irreparable financial loss to them. The said representations are still pending.

In view of the above, without expressing any opinion on merits, 1st and 2nd respondents are directed to dispose of the representations, purported to have been made by the petitioners on 21.2.2006 and 10.8.2006, within a period of eight weeks, from the date of receipt of a copy of this order and communicate the decision to the petitioners, within a period of one week thereafter. Till such time, the proposed alignment of D-8 at 10.86 KM, shall not be given effect to.

Writ petition is disposed of accordingly. No costs.

_____

15-11-2006

Note:
Issue CC by three days.
(B.O)
rkk